UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

PHOENIX ENTERTAINMENT PARTNERS, LLC,

Plaintiff,

v.

BRIAN HARRELL,

Defendant.

Case No. 15-CV-3020 (PJS/JJK)

ORDER

David R. Fairbairn and Jessica M. Alm, KINNEY & LANGE, PA, for plaintiff.

Paul Allen Godfread, GODFREAD LAW FIRM, for defendant.

Yesterday defendant Brian Harrell filed a motion to dismiss the complaint in this matter. ECF No. 8. Harrell filed only a motion and notice of hearing; his motion was not accompanied by a memorandum of law or any other document.

Local Rule 7.1(c)(1) provides that a party who brings a motion to dismiss "must *simultaneously*":

(A) file and serve the following documents:

(i) motion;

(ii) notice of hearing;

(iii) memorandum of law;

(iv) any affidavits and exhibits; and

(v) meet-and-confer statement . . . . and

(B) provide to chambers and serve a proposed order.

Local Rule 7.1(c)(1) is clear: A motion is not to be filed by itself, but must be accompanied by a notice of hearing, memorandum of law, affidavits, exhibits, and meet-and-confer statement, and a proposed order must be provided to chambers. Not only is Local Rule 7.1(c)(1) clear, but a member of the Court's staff specifically informed Harrell's attorney that he was not permitted to file a motion without an accompanying memorandum of law. Harrell's attorney nevertheless violated the Local Rules and defied the instructions of the Court's staff. Because Harrell's motion to dismiss was filed in blatant violation of the local rules, that motion is denied.

ORDER

Based on the foregoing, and on all of the files, records, and proceedings herein, IT IS HEREBY ORDERED THAT defendant's motion to dismiss [ECF No. 8] is DENIED.

Dated: August 26, 2015

s/Patrick J. Schiltz
Patrick J. Schiltz
United States District Judge